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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,375	08/06/2001	Takayuki Ohkubo	CU-2613 RJS	8926
7590	05/04/2005		EXAMINER	
Ladas & Parry Suite 1200 224 South Michigan Avenue Chicago, IL 60604			HUNTSINGER, PETER K	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center"><b>Office Action Summary</b></p>	<b>Application No.</b> 09/923,375	<b>Applicant(s)</b> OHKUBO ET AL.	
	<b>Examiner</b> Peter K. Huntsinger	<b>Art Unit</b> 2624	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/29/04</u> . | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Objections***

2. Claim 2 is objected to because of the following informalities: On page 62, line 23, the phrase "image data to be output, processed, or original " should be corrected for grammar. Appropriate correction is required.
3. Claim 4 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claims 4 contains the same limitations as provided in claim 3.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Ueda U.S. Patent 6,714,314.

Referring to claim 1, Ueda discloses an image printing apparatus comprising: an image data inputting means for inputting image data (image data input means 11 of Fig. 1, col. 5, lines 23-28); a command inputting device for inputting a printing command including designation of an image to be output (Fig. 7); a printing means for printing the image to be output (print producing means 14 of Fig. 1, col. 5, lines 23-28); a display device for displaying an image (monitor 412A of Fig. 6, col. 12, lines 14-25); and a processing device for producing a protection processed image for applying a privacy protection process to the image to be output (Fig. 12, col. 17, lines 38-45), wherein a controlling means for displaying either one of the protection processed image and the image to be output on the display device according to the designation by a user is provided (Fig. 39, col. 25, lines 47-53). Ueda discloses a process for selecting the image size of the printed image. A smaller sized image would inherently provide privacy protection because the image would reduce visibility and prevent others from seeing the image from a distance. Further, the applicant's specification suggests printing smaller images as an option for privacy protection. Selection of a larger sized printed image would be an image printed without privacy protection. The confirmation page (Fig. 39, col. 25, lines 47-53) disclosed by Ueda, displays the image modified with the user's selections before the image is printed. The page will either display a larger

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non-privacy protected image or a smaller privacy protected image as chosen by the user when the print size is selected.

Referring to claim 2, Ueda discloses an image printing apparatus comprising: an image data inputting means having one or a plurality of recording medium reading devices and/or optical image reading devices (image data input means 11 of Fig. 1, col. 5, lines 23-28); a command inputting device for inputting a printing command including designation of an image to be output (Fig. 7); an output content designation data producing means (keyboard 422 of Fig. 7, col. 12, lines 51-57) for producing the output content designation data recording the image data to be output, processed, or original and the accompanying conditions based on the original image data inputted from the image data inputting means and the order content inputted from the command inputting device (col. 5, lines 44-51); a printing means for printing the image to be output according to the command of the output content designation data (print producing means 14 of Fig. 1, col. 5, lines 23-28); a processing device for producing a protection processed image for applying a privacy protection process to the image to be output (Fig. 12, col. 17, lines 38-45); a display controlling means for selecting either one of the protection processed image and the image to be output as the display image according to the designation by the user (Fig. 39, col. 25, lines 47-53); and a display device for displaying the display image selected by the controlling means (monitor 412A of Fig. 6, col. 12, lines 14-25). Ueda discloses a process for selecting the image size of the printed image. A smaller sized image would inherently provide privacy protection because the image would reduce visibility and prevent others

from seeing the image from a distance. Further, the applicant's specification suggests printing smaller images as an option for privacy protection. Selection of a larger sized printed image would be an image printed without privacy protection. The confirmation page (Fig. 39, col. 25, lines 47-53) disclosed by Ueda, displays the image modified with the user's selections before the image is printed. The page will either display a larger non-privacy protected image or a smaller privacy protected image as chosen by the user when the print size is selected.

Referring to claims 3 and 4, Ueda discloses the image printing apparatus according to claim 1, wherein the controlling means executes the selective display of the protection processed image and the image to be output by the display device during the printing operation by the printing means (Fig. 39, col. 25, lines 47-53).

Referring to claim 5, Ueda discloses the image printing apparatus according to any of claims 1 to 4, wherein the processing device applies at least one selected from the group consisting of an image darkening process, a contrast lowering process, an image minifying process, a binary process of the image, an edge iris process, and an embossing process to the image to be output as the privacy protection process (Fig. 12, col. 17, lines 38-45) (Fig. 31, col. 24, lines 8-24).

Referring to claim 6, Ueda discloses the image printing apparatus according to claim 5, wherein the controlling means receives a designation from a user for applying any one selected from the group consisting of an image darkening process, a contrast lowering process, an image minifying process, a binary process of the image, an edge iris process, and an embossing process as the privacy protection process, and

produces the protection processed image according to the designated process. (Fig. 12, col. 17, lines 38-45) (Fig. 31, col. 24, lines 8-24).

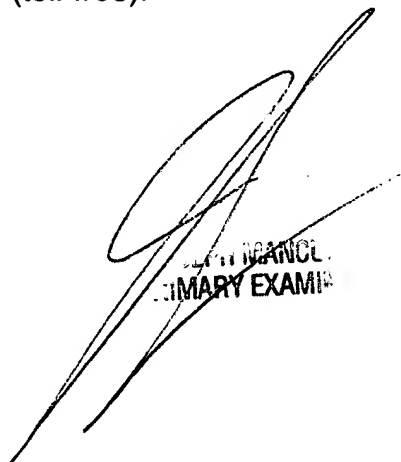
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PKH



A handwritten signature in black ink is written over a rectangular official stamp. The stamp contains the text "PRIMARY EXAMINER" in a bold, sans-serif font. Above this text, the word "CANCEL" is partially visible, suggesting the stamp might be a "CANCELLED" or "VOID" stamp. The signature is a stylized, cursive-like mark that extends across the stamp and slightly above and below it.